

REMARKS

Claims 1, 2, 4-6, 12, 14, 17, 19, and 20 were pending in the present application prior to the present Amendment. Claim 4 has been canceled herein, and claim 21 has been added. Claims 1, 2, 5, 6, 12, 14, 17, and 19-21 are therefore currently pending.

Support for the amendments to claim 1 can be found in claim 3 as filed, which recited herbal extracts of Ligusticum, Salvia root, Tangkuei, and chrysanthemum. As discussed during the telephonic interview conducted with the Applicant's undersigned representative on June 5, 2008, the steps of the extraction process described in Figure 5 have also been added to claim 1. Claim 17 has likewise been amended to recite extracts of Ligusticum, Salvia root, Tangkuei, and chrysanthemum, as recited in claim 17 prior to amendment. The limitations of new claim 21 are identical to those of claim 4 as filed.

No new matter has been added to this application by the amendments made herein, with support being found in the specification, claims and figures as filed. In view of the foregoing, the Applicant respectfully requests entry of this Amendment and consideration of the present application as amended herein.

Rejections under 35 U.S.C. § 112

Claims 1-2, 4-6, 12, 17, and 19-20 were rejected under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement. The Applicant has addressed the issue raised in the written rejection (on page 3 of the Office Action) by identifying the herbs used in the present invention as being Ligusticum, Salvia root, Tangkuei, and chrysanthemum, as set forth in the specification. During the telephonic interview on June 5, 2008 the Examiner further indicated that the process used to derive the herbal extracts used in the present invention should also be recited in order to meet the written description requirement, and in view of this such steps have been added to independent claim 1. In view of the foregoing, the Applicant respectfully requests that the rejection of claims 1-2, 4-6, 12, 17, and 19-20 under 35 U.S.C. §112, first paragraph be withdrawn.

Conclusion

Claim 14 has been allowed, and the Applicant believes that the remaining claims, claims 1, 2, 5, 6, 12, 17, and 19-21, are in condition for allowance. The issuance of a Notice of Allowance is thus respectfully requested. If, however, there remain any issues which can be addressed by telephone, the Examiner is encouraged to contact the undersigned at the telephone number listed below.

Please charge any fees due in connection with this Amendment or credit any overpayment to Deposit Account No. 19-2090.

Respectfully submitted,

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